

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: :  
: Case No.: 16-16463  
Subhan Subhan : Chapter 13  
: Judge Richard E. Fehling  
Debtor(s) : \*\*\*\*\*  
: Wells Fargo Bank, N.A. as successor by : Date and Time of Hearing  
merger to Wachovia Bank, N.A. : Place of Hearing  
Movant, : September 20, 2018 at 9:30 a.m.  
vs :  
: 400 Washington Street  
Subhan Subhan : Courtroom #1  
: Reading, PA, 19601  
William C. Miller :  
Respondents. Related Document # 44

**STIPULATION FOR SETTLEMENT OF MOTION FOR RELIEF FROM AUTOMATIC  
STAY AS TO REAL PROPERTY LOCATED AT  
9037 WERTMAN RD, FOGELSVILLE, PA 18051**

This matter coming to be heard on the *Motion for Relief from Stay* (Dkt. #44) which was filed in this court by Wells Fargo Bank, N.A. as successor by merger to Wachovia Bank, N.A. ("Movant"), Movant and Subhan Subhan ("Debtor"), by and through their attorneys have agreed to a course of action which will condition the continuation of the automatic stay upon certain provisions incorporated herein for the protection of Movant;

As of the date of bankruptcy filing on September 13, 2016, Debtor failed to make regular monthly mortgage payments to Movant and is currently in default for the months of May 2018 through September 2018, incurring a total post-petition arrearage of \$380.20, which consists of 5 post-petition payments for May 5, 2018 through September 5, 2018 at \$76.04 each.

**IT IS HEREBY ORDERED:**

1. In order to eliminate said post-petition delinquency, Movant must receive the following payments by the corresponding dates:
  - a. \$63.37 on or before October 5, 2018;
  - b. \$63.37 on or before November 5, 2018;
  - c. \$63.37 on or before December 5, 2018;
  - d. \$63.37 on or before January 5, 2019 ;
  - e. \$63.37 on or before February 5, 2019;

- f. \$63.35 on or before March 5, 2019.
2. The Debtor hereby agrees to resume monthly mortgage payments outside the Plan directly to Movant for the October 5, 2018 regular monthly mortgage payment and to make all further payments in a timely fashion.
  3. That Movant must receive the payments listed above on or before the corresponding date. If Movant fails to receive any one scheduled payment, the repayment schedule is void if the Debtor fails to bring the loan post-petition current within ten (10) calendar days after mailing notification to the Debtor and his/her attorney. The stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing certification of default with the clerk of the court.
  4. Upon completion of the repayment schedule listed above or tender of sufficient funds to bring the loan post-petition current, the Debtor must continue to make timely post-petition mortgage payments directly to Movant.
  5. If Movant fails to receive any monthly payment and if the Debtor fails to bring his/her loan current within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing certification of default with the clerk of the court.
  6. Debtor's opportunity to cure the default shall be limited to three occurrences. Upon the fourth default occurrence, without notification to the Debtor and his/her attorney, Creditor shall receive automatic relief by filing a Certification of Default and a Proposed Order Granting Relief with the Court.
  7. This Stipulation remains in full force and effect in the event Debtor's case is dismissed by the Court and Debtor subsequently reinstates his case by order of the Court and/or the Movant obtains relief from stay and the stay is subsequently reinstated by order of the Court.
  8. If this bankruptcy proceeding is converted to Chapter 7, dismissed or discharged, this Order shall be terminated and have no further force or effect.

MANLEY DEAS KOCHALSKI LLC

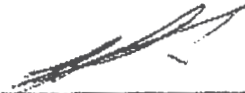
Dated: 10/12/18

BY: K. Velter


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Attorney for Creditor

Dated: 10/3/18

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Attorney for Debtor

I do not object to the foregoing Stipulation

  
William C. Miller  
Chapter 13 Trustee  
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